

Nobuhiro ITOH, S.N. 10/685,098
Page 10

Dkt. 2271/71239

REMARKS

The application has been reviewed in light of the Office Action dated August 22, 2007. Claims 1-33 are pending. By this Amendment, claims 24-33 have been amended to clarify the claimed subject matter. Accordingly, claims 1-33 are presented for reconsideration, with claims 1, 11, 14 and 24 being in independent form.

Claims 24-33 were rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory matter.

By this Amendment, claims 24-33 have been amended to clarify that the claimed subject matter is a computer-readable medium tangibly embodying a program of instructions for causing a computer to carry out facsimile functions.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 101 is requested.

Claims 1-36 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 5,809,116 to Cairo in view of Chen (US 2002/0094076 A1).

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 11, 14 and 24 are patentable over the cited art, for at least the following reasons.

The present application relates to an improved approach devised by applicant to provide confirmation to a sender of a facsimile transmission that the transmission has been securely transmitted, that is, the receiving end is the correct and intended destination. In the approach devised by applicant, destination names of specific destinations are registered in advance in a storage section. When a facsimile transmission is being made to a receiving end of the transmission, the receiving end responds with terminal information allowing the receiving end to be identified. The identification of the receiving end is used to locate a corresponding

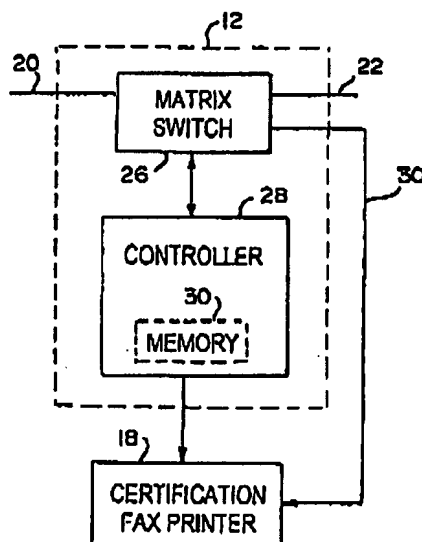
Nobuhiro ITOH, S.N. 10/685,098
Page 11

Dkt. 2271/71239

destination name that is registered in the storage section. If such a destination name corresponding to the receiving end is found in the storage section, then it is determined that the transmission was correctly performed and a communication result notification is output. Each of independent claims 1, 11, 14 and 24 addresses these features, as well as additional features.

Cairo, as understood by applicant, proposes an approach for certifying delivery of a transmission through a public switch telephone network, including detecting a request for certification of a transmission from a first telephonic communication unit by a local telephone switch of the public switch telephone network, forwarding the transmission from the first telephonic unit to a second telephonic unit through the local telephone switch, copying the transmission within the local switch, detecting, by the local switch, a mirrored transmission from the destination telephonic unit to the first telephonic unit, copying the mirrored transmission within the local switch, and providing a hardcopy of the transmissions and identifiers of the first and second telephonic units through a printer of the local switch. Fig. 2 (reproduced below) of Cairo, which was cited in the Office Action, illustrates a local switch 12.

FIG. 2



Nobuhiro ITOH, S.N. 10/685,098

Dkt. 2271/71239

Page 12

Cairo, column 5, lines 33-67 (reproduced below), was cited in the Office Action as the purportedly relevant portion of the reference:

In another embodiment of the invention, the certification fax machine and certification printer are combined into one device. Under such an embodiment a page of fax material is compressed in size to occupy 3/4 of a standard size fax page with indicia of delivery occupying the remaining 1/4 of the fax. Data delivery to the certification fax under the embodiment is accomplished through use of a data buffer in series with the interconnect 30 and with a data switch interposed between the buffer and certification fax under the control of the controller 28. During transmission of a page of fax information the controller 28 instructs the data switch to pass fax information from the buffer to the certification fax. When the controller 28 detects an end-of-page message from the originating fax 10 and a page acknowledge message from the destination fax 16, the controller 28 instructs the data switch to interrupt the transfer of data from the buffer to the certification fax and, instead, pass indicia of delivery from an output of the controller 26 while the buffer accumulates any new data from succeeding fax pages. Once the data switch transfers the indicia of delivery from the controller 28 to the certification fax followed by a locally generated end-of-page, which indicia is printed on the bottom quarter of the fax page, the controller 28 again instructs the data switch to pass data from the buffer.

In another embodiment of the invention, the telephonic transmission is not printed immediately with indicia of delivery associated with each page but, rather, the entire transmission is stored as a common file with indicia associated with the entire file stored in conjunction with the file as a composite file. As with above embodiments, the composite file is stored in a secure facility with a single summary page printed after creation of the composite file and sent to the operator of the originating telephonic unit for record keeping purposes. Should a need arise for proof of delivery, the entire composite file is printed upon demand.

Thus, Cairo proposes that fax data to be transmitted to the destination are transmitted page by page to a certification fax for certification before the certified pages are forwarded downstream.

Contrary to the contention in the Office Action, Cairo simply does not disclose or suggest *identifying a receiving end by analyzing terminal information received from the receiving end when making a facsimile transmission to the receiving end.*

Nobuhiro ITOH, S.N. 10/685,098
Page 13

Dkt. 2271/71239

Further, Cairo merely proposes an apparatus having a reception confirmation function, and outputs the reception confirmation result in response to an instruction issued by an operator who wishes to confirm the reception and requesting the reception confirmation.

Accordingly, Cairo fails to disclose or suggest that *if the receiving end is registered as one of the specific destinations*, a communication result notification is output after the transmission (since Cairo does not even teach registering the specific destinations information).

Chen, as understood by applicant, proposes an approach for controlling telephone call announcement (such as a music sequence, a ringing signal, a voice segment, caller description, caller group description, or called party description) and response according to caller identification or caller-waiting identification.

Chen, [0025] (reproduced below), was cited in the Office Action as purportedly proposing storing destination names of specific destinations and searching the storage section for the specific destination name corresponding to the receiving end:

[0025] The extracted caller identification is sent to the caller response control unit 203. The caller response control unit 203 checks the caller identification with a caller list 204, which contains a list of expected callers.

Thus, Chen merely proposes storing a list of expected/specific callers. Such a caller initiating a call might be analogous to the sending or transmitting end of a facsimile transmission, but not to a destination.

Chen, like Cairo, does not disclose or suggest *identifying a receiving end by analyzing terminal information received from the receiving end when making a facsimile transmission to the receiving end*, and outputting a communication result notification indicative of a result of the facsimile transmission to the receiving end *only when the corresponding destination name is found in the storage section*.

Nobuhiro ITOH, S.N. 10/685,098
Page 14

Dkt. 2271/71239

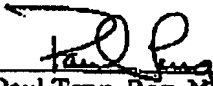
Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 11, 14 and 24, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400